

INCIDENT REPORT

Group#: N/A Type: Inmate Involved Incident Date: 05/22/2005 Time: 10:30 Confidential: No

Facility: SCI Sussex Correctional Institution Followup Required : No

Associated Disciplinary Report #(s): 4896

Associated Disciplinary Report #(s): 4897

Incident Location: MERIT

Location Description: West tier

Violated Conditions: 2.06/200.108 Failing to Obey an Order

Description of Incident:

On the above time and date I informed Inmate Henry that if he wanted to keep his job that he had to clean the showers before I got off of work and I checked them. When I looked at the showers they were dirty and had soap slime thick on the walls and in the corners. When I made gym call Inmate Henry was in the line to go to gym. I (Cpl Stolzenbach) asked inmate Henry " you going to gym" and he replied "yes". After he came back from gym inmate Henry made a half hearty attempt at cleaning the showers. Inmate Henry than sit down at a table and started playing cards . I checked the showers and informed inmate Henry that they were not clean and he needs to get back to work on them. Inmate Henry kept playing cards and made no more attempts to clean the showers.

Injured Persons	Hospitalized	Nature Of Injuries
N/A	N/A	N/A

Evidence Type: N/A

Date Collected: N/A

Discovered By : N/A

Secured By: N/A

Type of Force Used: [] PHYSICAL [] CHEMICAL [] STUN [] OTHER [] CAPSTUN [X] NONE

Restraints Used : N/A

Immediate Action Taken:

Forms 404 and 338 filed

Individuals Involved

Person Code	Name	SBI#	Title
Inmate	Nathan, Henry L	00324881	N/A
Staff	John, Stolzenbach A Jr	N/A	CO Corporal/Sgt. - Large Inst.

Reporting Officer: Stolzenbach, John A Jr(Co Corporal/Sgt. -
Large Inst.)Entered By: Stolzenbach, John A Jr(Co Corporal/Sgt. -
Large Inst.)

Approval Information

 Approved Disapproved Date: 05/23/2005 Approved by: Walker, Paul J III (Shift Commander - Large Inst.)

Comments: Assigned to Lt J. Hollis

DISCIPLINARY REPORTDisciplinary Type: Class2Housing Unit: PRE-TRIALIR#: 10355

SBI#	Inmate Name	Inst. Name	Location Of Incident	Date	Time
00324881	Henry, Nathan L	SCI	MERIT	05/22/2005	10:30

Violations: 2.06/200.108 Failing to Obey an OrderWitnesses: 1. Stolzenbach, John 2. N/A 3. N/A**Description of Alleged Violation(s)**

On The Above Date And Time I (Cpl Stolzenbach) Informed Inmate Henry To Clean The Showers. Inmate Henry Made A Half Heart Attempt At Cleaning Them And Sit Down To Play Cards. I Informed Henry That They Were Not Clean And He Kept Playing Card Therefore He Disregard My Orders.

Reporting Officer: Stolzenbach, John A Jr(CO Corporal/Sgt. - Large Inst.)**Immediate Action Taken**Immediate action taken by: Stolzenbach, John A Jr-CO Corporal/Sgt. - Large Inst.

Forms 404 And 338 Filed

Offender Disposition DetailsDisposition: N/ADate: N/ATime: N/ACell secured? NoReason: N/ADisposition Of Evidence: N/A**Approval Information**Approved: Disapproved: Approved By: Walker, Paul J III(Shift Commander - Large Inst.)

Comments: Assigned To Lt J. Hollis

Shift Supervisor DetailsDate Received: Time: Received From: Stolzenbach, John A Jr**Shift Supervisor Determination:**

Upon reviewing this Disciplinary Report, I conclude that the offense may be properly responded to by an immediate revocation of the following privileges(see reverse side) for _____ hours not to exceed 24 hours)

Upon reviewing this Disciplinary Report, I conclude that the offense would be properly responded to by Disciplinary Hearing

Walker, Paul J III(Shift Commander - Large Inst.)

I have received a copy of this notice on DATE: _____ TIME: _____ and have been informed of my rights to have a hearing and to present evidence on my own behalf. I understand, if found guilty, I will be subject to imposition of sanctions outlined in the Rules of conduct.

Preliminary Hearing
Officer: _____Offender: _____
Henry, Nathan L

SCI Document 81-3
Sussex Correctional Institution
PO Box 500
GEORGETOWN DE, 19947
Phone No. 302-856-5280

DISCIPLINARY HEARING DECISION

Inmate : Henry, Nathan L

SBI#:00324881 Type:Class 2

Institution:SCI Sussex Correctional InstitutionHearing Date:05/25/2005 Time:11:05Inmate Present: Yes Reason(If No):N/A

Violation: 2.06/200.108 Failing to Obey an Order

Inmate PLEA: Not Guilty

Inmate Statement: Cpl told me to "get the showers done before i leave." He did not explain what he wanted or how clean they should be.

Witness Name: Stolzenbach, John A

Testimony : per incident report

Decision :Guilty

Rational :incident report

Sanctions: N/A

HEARING OFFICER'S SIGNATURE

Hollis, James W

I understand that I may appeal the decision of a Class II Hearing to the Class I Hearing Officer.I may appeal the decision of a Class I Hearing to the facility administrator.I also understand that I have 72 hours to submit my notice of appeal in writing to the Class I Hearing Officer if I am appealing a Class II Hearing decision or the Warden if I am appealing a Class I Hearing decision.

I [] DO [X] DO NOT INTEND TO APPEAL

INMATE's SIGNATURE

ORDER TO IMPLEMENT SANCTIONS

<input checked="" type="checkbox"/> Inmate does not wish to appeal	<input type="checkbox"/> Appeal has been denied by Commissioner or Designate
<input type="checkbox"/> Sanctions have been modified	<input type="checkbox"/> Time Limit(72 Hours since hearing) for appeal has expired

It is here by ordered to implement the sanctions:

Sanctions	Start Date	Days	End Date
1. Loss of All Privileges	05/26/2005	1	05/27/2005

PO Box 500
Sussex, DE, 19947
Phone#: 302-856-5280**DISCIPLINARY HEARING APPEAL FORM**Inmate : Henry, Nathan L

SBI#:00324881 Type:Class 2

Institution:SCI Sussex Correctional InstitutionHearing Date:05/25/2005 Time:11:05**RE: DISCIPLINARY HEARING**

You have the right to appeal the decision of the Hearing officer to the Commissioner of the Department of Correction, or his designee. Execution of any sanction imposed by the hearing officer shall be automatically stayed for Seventy-Two(72) hours immediately following the hearing **(UNLESS) YOU INDICATE ON THIS FORM THAT YOU DO NOT WANT** to appeal. If You do not file an appeal within seventy-two (72) hours, or if you indicate on this form that you do not want to appeal, the sanction shall be carried out immediately.

Yes, I do want to appeal. No, I do not want to appeal.

I want the decision of the Hearing Officer to be :

Reversed, and/or Remanded for further Proceedings.

My reasons for making this appeal are :

N/A

DATE: 01/25/2006

SIGNATURE: _____
Henry, Nathan L

To file this appeal,give it to Hollis, James W

* The 72-hour time limit will run only while you are incarcerated.

James Hollis - SCI

Select Offender SBI Number 00324881 Today's Date 01/25/2006 06:18 PM

Name	HENRY	NATHAN	L	DOB	10/07/1984	R/S	B	M	Sec/Cust	SENTAC	V	Multi Status	N
Location	SCI - 03	PO		Location		PO							
Disciplinary #	4896	Disciplinary Type	Class2	Incident #	10355								
Date of Occurrence	05/22/2005	Time of Occurrence	10:30	Location of Occurrence	MERIT								
Status	Closed	Reason for Nullification											

Hearing Officer Decision Appeal Information Review Decision Order to Implement Sanctions

Violation Description of Violation
2.06/200.108 Failing to Obey an Ord On the above date and time I (Cpl Stolzenbach) informed inmate Henry to clean the showers. Inmate Henry made a half heartly attempt at cleaning them and sit down

Date 05/25/2005 Hearing Officer Hollis James W Title

Individual Cumulative

Sanction Description Start Date 05/26/2005 Time 08:00 # of days 1 End Date 05/27/2005

Loss of All Privileges

Start Date Time # of impl Days End Date

Reason for Order to Implement Sanctions

- Inmate Does not wish to Appeal
- Time Limit (72 hrs since hearing) for appeal has expired
- Appeal has been denied by Approving Authority
- Sanctions have been modified

Hearing Decision Offender Appeal Review Decision Clear OK/Save Cancel/Exit

Record: 1/1